

cargo fuel, other contents, and superstructure. If your primary extinguishing agent is foam or water, you must identify resources in your plan that are able to pump, for a minimum of 20 minutes, at least 0.016 gallons per minute per square foot of the deck area of your vessel, or an appropriate rate for spaces that this rate is not suitable for and if needed, an adequate source of foam. These resources described are to be supplied by the resource provider, external to the vessel's own firefighting system.

(h) *Ensuring the proper subsurface product removal.* You must have subsurface product removal capability if your vessel(s) operates in waters of 40 feet or more. Your resource provider must have the capability of removing bulk liquid cargo and fuel from your sunken vessel to a depth equal to the maximum your vessel operates in up to 150 feet.

[USCG-1998-3417, 73 FR 80649, Dec. 31, 2008; 74 FR 7648, Feb. 19, 2009; USCG-2010-0351, 75 FR 36285, June 25, 2010; USCG-2008-1070, 78 FR 60124, Sept. 30, 2013]

§ 155.4032 Other resource provider considerations.

(a) *Use of resource providers not listed in the VRP.* If another resource provider, not listed in the approved plan for the specific service required, is to be contracted for a specific response, justification for the selection of that resource provider needs to be provided to, and approved by, the FOSC. Only under exceptional circumstances will the FOSC authorize deviation from the resource provider listed in the approved vessel response plan in instances where that would best affect a more successful response.

(b) *Worker health and safety.* Your resource providers must have the capability to implement the necessary engineering, administrative, and personal protective equipment controls to safeguard their workers when providing salvage and marine firefighting services, as found in 33 CFR 155.1055(e) and 29 CFR 1910.120(q).

§ 155.4035 Required pre-incident information and arrangements for the salvage and marine firefighting resource providers listed in response plans.

(a) You must provide the information listed in §§155.1035(c), 155.1040(c), and 155.5035(c) to your salvage and marine firefighting resource providers.

(b) *Marine firefighting pre-fire plan.* (1) You must prepare a vessel pre-fire plan in accordance with NFPA 1405, Guide for Land-Based Firefighters Who Respond to Marine Vessel Fires, Chapter 9 (Incorporation by reference, see §155.140). If the planholder's vessel pre-fire plan is one that meets another regulation, such as SOLAS Chapter II-2, Regulation 15, or international standard, a copy of that specific fire plan must also be given to the resource provider(s) instead of the NFPA 1405 pre-fire plan, and be attached to the VRP.

(2) The marine firefighting resource provider(s) you are required to identify in your plan must be given a copy of the plan. Additionally, they must certify in writing to you that they find the plan acceptable and agree to implement it to mitigate a potential or actual fire.

(3) If a marine firefighting resource provider subcontracts to other organizations, each subcontracted organization must also receive a copy of the vessel pre-fire plan.

[USCG-1998-3417, 73 FR 80649, Dec. 31, 2008, as amended by USCG-2010-0351, 75 FR 36285, June 25, 2010; USCG-2008-1070, 78 FR 60124, Sept. 30, 2013]

§ 155.4040 Response times for each salvage and marine firefighting service.

(a) You must ensure, by contract or other approved means, that your resource provider(s) is capable of providing the services within the required timeframes.

(1) If your vessel is at the pier or transiting a COTP zone within the continental United States (CONUS), the timeframes in Table 155.4030(b) apply as listed.

(2) If your vessel is at the pier or transiting a COTP zone outside the continental United States (OCONUS), the timeframes in Table 155.4030(b) apply as follows: